



THE CITY OF NEW YORK
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May 11, 2015

By ECF

Honorable Vernon S. Broderick
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

Re: Joshua Wiles v. City of New York et al.,
13 CV 2898 (VSB)

Your Honor:

I am an Assistant Corporation Counsel in the office of Zachary Carter, Corporation Counsel of the City of New York, representing defendants in the above-referenced civil rights matter. Defendants write regarding plaintiff's motion for default, docket entry [126], filed May 8, 2015. In support plaintiff has filed a 2 page affidavit by David Thompson signed on May 6, 2015.

All of the individual defendants are represented in this action, and the pending motion for summary judgment was filed on their behalf. Defendants have attached an answer to plaintiff's second amended complaint, and request the Court accept it as filed *nunc pro tunc*. See Exhibit A. Defendants note that plaintiff's application for a default judgment has failed to comply with the default judgment procedure set forth in the individual rules, and is procedurally improper.

Thank you for your consideration.

Respectfully submitted,
/s/
Andrew Lucas
Assistant Corporation Counsel

cc: Wylie Stecklow Esq.
David Thompson Esq.
Attorneys for Plaintiff